

MINUTES
OF THE
BOARD OF MAYOR AND ALDERMEN

February 9, 2023

The Board of Mayor and Aldermen of the City of Henderson, Tennessee met in regular session on Thursday, February 9, 2023, at 7:00 P.M. in the Council Chamber of the City of Henderson City Hall. Present and presiding was Mayor Robert W. (Bobby) King. City Recorder Jim E. Garland called the roll with the following being present:

Aldermen: Mark A. Barber, Donna Butler, Buel Maness, Jason Rhodes, and Keith Smith.
Absent: Michael Phelps

Also present at the meeting were: City Recorder Jim E. Garland, Police Chief Gary Davidson, Building Official Brent Beshires, Public Works Director Carter Scales, Fire Chief Doug Acred, Utility Director Darryl Green, and Asst CMFO Alicia Holder.

Mayor King called the meeting to order at the appointed time. Alderman Barber gave the invocation and Alderman Butler led the Pledge to the Flag. The following proceedings were entered here-to-wit:

The minutes of the previous regular meeting were presented for approval. A motion was made by Ald. Smith to accept the minutes as presented, duly 2nd by Ald. Barber. Motion carried.

The accumulated accounts were presented for informational purposes. There being no questions on the accounts, the meeting continued.

The first item on the agenda was a call for delegations to address the board.

1. Officer Presentations by Police Chief Gary Davidson. Chief Davidson stated that there is a lot of unknown work that police officers do that goes unrecognized. He is presenting four officers with Lifesaving Citation Awards:

- Sergeant Michael Rhodes – On August 26th, 2022, Sgt. Michael Rhodes, while working the second shift responded to a 911 call of an unresponsive male. Upon arrival, Sgt. Rhodes observed an unresponsive individual at the residence. This individual had already turned bluish-purple color and was not breathing. A family member had begun CPR on the male. Sgt. Rhodes without hesitation accessed the situation and immediately administered two doses of Narcan to the victim. Once Narcan was administered to the victim, the victim began breathing on his own. Sergeant Rhode’s action epitomize the best Police Officer qualities of motivation, commitment and selfless service. His exceptional and timely efforts in rendering medical aid to an unresponsive victim was very instrumental in saving this individual’s life.
- Officer Jonathan Menzie – On Saturday, October 15th, 2022, Officer Jonathan Menzie, being assigned to Patrol duties, while working the second shift responded to a 911 call of an individual that had been shot. Upon arrival, Officer Menzie observed an individual laying on the floor in a pool of blood.

This individual had been shot once in the hip and once in the upper leg. This individual was bleeding badly due to his injuries and had lost a lot of blood. Officer Menzie without hesitation applied a tourniquet to the victim's left and applied pressure to the wound the victim suffered to his hip. Officer Menzie held pressure to the wound, all while keeping the scene safe and secure until EMS arrived on the scene. Officer Menzie's actions epitomize the best Police Officer qualities of motivation, commitment and selfless service. His exceptional and timely efforts in rendering medical aid to a gunshot victim was very instrumental in saving this individual's life.

- Office Bradley Ross – On Sunday, May 15th, 2022, Officer Bradley Ross, being assigned to Patrol duties, while working the second shift responded to a 911 call of an unresponsive infant. Upon arrival, Officer Ross observed an infant unresponsive. Officer Ross without hesitation administered CPR and made a very diligent effort to save the child's life. Officer Ross's actions epitomize the best Police Officer qualities of motivation, commitment and selfless service. His exceptional and timely efforts in rendering medical aid to an unresponsive victim is to be commended.
 - Officer Whitney Watkins – On Sunday, April 10th, 2022, Officer Whitney Watkins, being assigned to Patrol duties, while working the second shift responded to a 911 call of an unresponsive female. Upon arrival, Officer Watkins observed an unresponsive individual in the rear of the residence. A family member had begun CPR on the female. Officer Watkins without hesitation took over assisting with CPR on this female. Officer Watkins also administered Narcan to the victim, after determining this to be a possible overdose. Officer Watkin's actions epitomize the best Police Officer qualities of motivation, commitment and selfless service. Her exceptional and timely efforts in rendering medical aid to an unresponsive victim is to be commended.
2. Stewart Brown – CCHS Project Graduation. Senior Class President Stewart Brown addressed the board stating that graduation was on May 15 and Project Graduation will be held the same night. He is asking the board for a donation to help provide a safe, drug-free night of fun for the graduating class. Ald. Smith stated that they budget \$500.00 each year for this cause and typically the police department will match the \$500.00. A motion was made by Ald. Smith to approve the \$500.00 donation for project graduation, duly 2nd by Ald. Butler. Motion carried. The total amount to be donated to Project Graduation for 2023 is \$1000.00 (\$500.00 each from the city and the police department).

There being no further delegations, the meeting continued.

The next item on the agenda was to discuss the City Hall renovation progress and approve the expected change order to repair the leaking windows. Recorder Garland stated that the work session that was scheduled for January 31st had to be canceled due to the icy weather. This meeting was to discuss the change order for the repair of the damaged windows. Mayor King had reached out to each board member to discuss the change order so that the contractor could move forward with ordering needed materials. Everyone was aware of the window issues (leaking/water damage) when the renovation project went to bid. Each window had to be reviewed for repair and 75% to 80% percent of the windows must be pulled and repaired. The estimated cost for this was \$75,000 and the change order came in at \$73,320. The total of the four change orders will add \$78,550 to

the original contract. The contractor stated it could take three weeks to get the material needed. Ald. Smith stated that this is best the time to make the repairs. Recorder Garland stated that change order 1) was for leaky roof repairs in the amount of \$1,770, change order 2) was for additional classroom plumbing that was due to an error on the renovation plans (the sink was in the plans but the plumbing for the sink was omitted), change order 3) was for a credit for a new ice maker due to an extended delivery date being well after the project is to be completed, and change order 4) was for window repairs. Ald. Butler asked about the roof repair in the new classroom and Recorder Garland stated he would go look at the repairs. Ald. Maness asked if there was any kind of warranty on the window repairs and Recorder Garland stated it would be one year warranty after project completion. After further discussion, a motion was made by Ald. Barber to approve change orders 1 thru 4, duly 2nd by Ald. Smith. Motion carried.

Any other Business:

1. Update on the Utility Board Training requirements. Recorder Garland stated that each board member is to complete 12 hours of utility training in a three-year time frame. This year, the comptroller has issued new rules for the annual training. An annual statement listing the training for the previous year must be signed by the board members (even if no training was completed a form is to be completed).

Mayor King stated that the work session that was canceled due to weather needs to be rescheduled. Recorder Garland stated that the board and department heads would need to be available. It was set for Tuesday, February 28th at 5:30. Mayor King added that he has asked department heads to review their current pay structures for their entire department and be prepared to present to the board members for review.

UD Green stated that the Hwy 45 water line on the west side of the highway across from Lonnie Cobb Ford is 95% complete. They are adding one more fire hydrant and they will be ready to fill/flush the lines. They will add customers once the lines have been sampled. This is the project that is funded partially by a DRA grant.

Fire Chief Acred stated that Safe Haven Baby Boxes has reached out to him regarding placing a box within the city. They will be sending him further information that he will share at that time.

PWD Scales stated that the security cameras at the maintenance shop and impound lot have been installed.

Ald. Smith asked Chief Davidson if there was any update on the grant they had applied for and Chief Davidson stated everything was submitted in a timely manner and that they were still waiting.

As discussed in the previous meeting, Ald. Smith asked about the lighting at the soccer fields at Gene Record Park. Mayor King stated that they are meeting with Tim Beshires with STEMC for a plan to get better lighting for the walking track.

Ald. Butler thanked the gas and water department for their work during the icy weather.

Ald. Maness stated that the police department is doing a good job and is often overlooked for what they do beyond writing tickets.

Minutes – February 9, 2023 (Cont'd)

There being no other business, a motion was made by Ald. Barber to adjourn, duly 2nd by Ald. Smith. Motion carried.

APPROVED: _____
Signed: Robert W. King
MAYOR

ATTEST: _____, CITY RECORDER
Signed: Jim E. Garland

MINUTES
OF THE
HENDERSON BEER BOARD

February 9, 2023

The Beer Board of the City of Henderson, Tennessee met in session on Thursday, February 9, 2023, at 7:00 P.M. in the Council Chamber of the City of Henderson City Hall. Present and presiding was Chairman Robert W. (Bobby) King and the following:

Members: Mark A. Barber, Donna R. Butler, Buel Maness, Jason Rhodes, and
Keith Smith.

Absent: Michael Phelps.

Also present were: City Recorder Jim E. Garland, and Police Chief Davidson.

A permit holder had been summoned to appear before the beer board because they had an employee that sold beer to a minor. The following notice was run in the "Chester County Independent" newspaper and notices were mailed to the permit holder by Certified Mail, Return Receipt Requested.

PUBLIC NOTICE

"Notice of Show Cause Hearing"

The City of Henderson Beer Board will hold a "Show Cause" Hearing on Thursday, February 9, 2023 at 7:00 P.M. (immediately following the city board meeting) in the Council Chamber of the Henderson City Hall at 121 Crook Ave.

The following Permit Holder/Business is accused of having an employee that sold Alcoholic Beverages to a Minor:

Kalbhairav Inc.
Permit #89

DBA: Zippy's
3825 US Highway 45 North

The permit holder should attend and answer charges against them and should show cause why their permits should not be suspended or revoked.

Under regulations of Tennessee Code Annotated and the Henderson Beer Ordinance, Section 8-213, the beer board may offer to the permit holders the option of paying a civil penalty of up to \$1,500.00 for each offense instead of the suspension or revocation of the permit. All interested parties are invited to attend this public hearing.

Henderson Beer Board
Robert W. King, Chairman

Beer Board Minutes – February 9, 2023 (Cont'd)

Chief Davidson advised the board that on December 15, 2022, Captain Hardy with the City of Henderson Police Department conducted a controlled undercover alcohol buy sting. All businesses in the city that currently hold a beer permit for the sale of alcoholic beverages were targeted.

Zippy's Market located at 3825 US 45 North did sell to our undercover 20-year-old informant, in violation of TCA 37-5-301 (Sell of alcohol to a minor).

Recorder Garland stated that there was a conflict between the letters sent to the permit holder and what was in the packet. The law recently changed that increasing the civil penalty up to \$2,500 and his letter stated a civil penalty of \$1,500. The beer board has the option to suspend or give the option to pay the civil penalty. This is the first offense under current ownership in the last five years.

In staying with the standard policy of the beer board in the past, a motion was made by Ald. Butler, duly 2nd by Ald. Barber to give Zippy's (Kenny) the option of paying a \$1,500 civil penalty or receiving a 30-day permit suspension. Motion carried. Mr. Kenny chose the civil penalty of \$1,500 and presented a check to Recorder Garland at the end of the meeting.

There being no other business, a motion by Ald. Barber, duly 2nd by Ald. Smith to adjourn. Motion carried.

Signed: Robert W. King

APPROVED: _____
CHAIRMAN

Signed: Jim E. Garland

ATTEST: _____
CITY RECORDER